

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

NORMAN E. LACEY,

Plaintiff,

v.

CITY OF AUBURN,

Defendant.

)
)
)
)
)
)
)
)
)
)

CASE NO: 3:06-CV-1145-MEF

UNOPPOSED

**PLAINTIFF'S MOTION FOR FOURTEEN DAY EXTENSION OF TIME
TO RESPOND TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

COMES NOW, the Plaintiff, Norman E. Lacey, in the above styled cause of action, by and through his undersigned counsel of record, and hereby notifies the Court and respectfully seeks the Court's approval of the Plaintiff's Motion for Fourteen Day Extension of Time to Respond to Defendant's Motion for Summary Judgment in the above styled case. As grounds for this motion the Plaintiff would state as follows:

1. On December 18, 2007, this Court ordered that any response to Defendant's Motion for Summary Judgment must be submitted by January 7, 2008. The Plaintiff will not be able to comply with this deadline because of scheduling conflicts and the holidays.

2. Specifically, Plaintiff's counsel has the following conflicts: mediation set for January 4, 2008 in *Boddie v. The Children's Hospital of Alabama*, 2:06-cv-1741; a response to Defendant's Motion for Summary Judgment in *Chapman v. Imerys Carbonates, LLC*, 1:06-cv-1972 due by January 9, 2008; and a response to Defendant's Motion for Summary Judgment in *Jenkins v. Pfizer, Inc., et al.*, 4:06-cv-688 due by January 17, 2008.

3. This request is being made before the expiration date set by the Court for the

Plaintiff to file his response to the Defendant's Motion for Summary Judgment.

4. Defendant does not oppose the granting of such an extension.

5. Based on the foregoing, the Plaintiff respectfully requests that this Honorable Court grant him a fourteen-day extension of time in which to submit his response to Defendant's Motion for Summary Judgment.

6. If this Court grants the Plaintiff's motion, the new due date for the submission of his response to Defendant's Motion for Summary Judgment would be January 21, 2008.

Respectfully submitted,

/s/Roderick T. Cooks
Attorney for the Plaintiff

OF COUNSEL:
WINSTON COOKS, LLC
The Penick Building
319-17th Street North
Birmingham, AL 35203
Tel: (205)502-0970
Fax: (205)251-0231
email: rcooks@winstoncooks.com

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing document on all persons listed below by CMF/Electronic Mail and/or U. S. Mail, postage prepaid and addressed to them as follows:

Randall Morgan, Esq.
Hilll, Hill, Carter, Franco,
Cole & Black, P.C.
425 South Perry Street
Montgomery, Alabama 36104
334-834-7600

Done this the 31st day of December, 2007.

/s/Roderick T. Cooks
Of Counsel